

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: RAJ CHAUDHRY, R.N. REINSTATEMENT APPLICANT
License No.: 0001-083776

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on November 21, 2013, in Henrico County, Virginia, to receive and act upon the application of Raj Chaudhry for reinstatement of her license to practice professional nursing in Virginia, which was mandatorily suspended by Order of the Department of Health Professions on October 11, 2001, and to inquire into evidence that Ms. Chaudhry may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Chaudhry was present and was represented by Margaret F. Hardy, Esquire. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Raj Chaudhry was issued License No. 0001-083776 to practice professional nursing in the Commonwealth of Virginia on December 31, 1981. Said license was mandatorily suspended by Order of the Director of the Department of Health Professions on October 11, 2001. Ms. Chaudhry also holds License No. 43394 to practice as a professional nurse in the District of Columbia, which is scheduled to expire on June 30, 2014. Her primary state of residence is Virginia.

2. Pursuant to Code of Virginia § 54.1-2409, Ms. Chaudhry submitted an application for reinstatement of her license, which was received by the Virginia Board of Nursing on August 16, 2013.

3. On July 31, 2001, Ms. Chaudhry was convicted of subscribing to a false federal income tax return, a felony, in the United States District Court for the Eastern District of Virginia. This conviction formed the basis of the suspension of her license to practice professional nursing by the Virginia Department of Health Professions on October 11, 2001.

4. Ms. Chaudhry submitted documentation of completion of 100 hours of continuing education between April 6, 2006, and August 15, 2013.

5. Ms. Chaudhry testified that she has been actively practicing as an RN for the last ten years in the District of Columbia. However, this contradicted her interview with the Department of Health Professions investigator where she said that she has not provided any direct patient care since the mandatory suspension of her Virginia license. Although Ms. Chaudhry testified that she has worked in various clinical settings as an RN in the District of Columbia, she presented no evidence that verified her clinical practice.

6. Ms. Chaudhry offered only one evaluation from August 2013 of her job performance, but it does not indicate what role she was performing or whether this document evaluated her performance as a practicing RN.

7. The Department of Health Professions investigator's interview with her current employer did not reference Ms. Chaudhry's competency as a professional nurse, and her employer termed her job description as staffing employees to work in various facilities.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(4) of the Code.
2. Ms. Chaudhry has not demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as

follows:

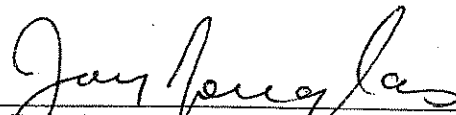
1. The application of Raj Chaudhry for reinstatement of License No. 0001-083776 to practice professional nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing. Further, it is hereby ORDERED that the license of Raj Chaudhry be CONTINUED on INDEFINITE SUSPENSION for a period of not less than six months. At such time as she shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

2. The license shall be recorded as suspended.

3. This Order shall be applicable to Ms. Chaudhry's multistate licensure privileges, if any, to practice professional nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

December 11TH, 2013
ENTERED

Certified True Copy
By drabam
Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.